

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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GAETANO D'ATTORE,

Plaintiff,

18 **CIVIL** 7017 (JMF)

-against-

JUDGMENT

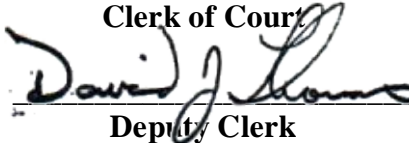
JAMIE LaMANNA, Superintendent of the Green
Haven Correctional Facility,
Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated April 21, 2020, the petition filed by D'Attore is dismissed as moot on the basis that Petitioner is deceased, and the case is dismissed. As D'Attore has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue at this time; In addition, this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Opinion and Order would not be taken in good faith, and in forma pauperis status is thus denied; accordingly, this case is closed.

DATED: New York, New York
April 22, 2020

RUBY J. KRAJICK

BY: 
Clerk of Court
Deputy Clerk